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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: A. TANAKA et al.
Serial No.: 09/712,171 /
Filed: November 15, 2000
For: DATA RECONSTRUCTION METHOD AND SYSTEM
WHEREIN TIMING OF DATA RECONSTRUCTION IS
CONTROLLED IN ACCORDANCE WITH CONDITIONS
WHEN A FAILURE OCCURS (As Amended)
Art Unit: 2184
Examiner: S. Baderman

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Technology Center 2100

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

April 17, 2002

Sir:

Hitachi, Ltd., having a place of business at 6, Kanda
Surugadai 4-chome, Chiyoda-ku, Tokyo, Japan, is the owner of
the entire interest in application Serial No. 09/712,171 filed
on November 15, 2000, for DATA RECONSTRUCTION METHOD AND
SYSTEM EMPLOYING THE SAME (as originally filed) and DATA
RECONSTRUCTION METHOD AND SYSTEM WHEREIN TIMING OF DATA
RECONSTRUCTION IS CONTROLLED IN ACCORDANCE WITH CONDITIONS
WHEN A FAILURE OCCURS (as amended), which is a continuation of
application Serial No. 09/162,444 filed on September 29, 1998,
now U.S. Patent No. 6,161,194 issued on December 12, 2000,
which is a continuation of application Serial No. 08/895,886
filed on July 17, 1997, now U.S. Patent No. 5,941,993 issued
on August 24, 1999, which is a continuation of application

Serial No. 08/534,841 filed on September 27, 1995, now U.S. Patent No. 5,889,938 issued on March 30, 1999, which is a continuation of application Serial No. 07/859,850, filed on March 30, 1992, now U.S. Patent No. 5,495,572 issued on February 27, 1996.

Hitachi, Ltd., is also the owner of the entire interest in U.S. Patent No. 6,000,039 issued on December 7, 1999, from application Serial No. 08/895,986 filed on July 17, 1997, which, like grandparent application Serial No. 08/895,886 referred to above of the present application Serial No. 09/712,171, is a continuation of application Serial No. 08/534,841 filed on September 27, 1995, now U.S. Patent No. 5,889,938 issued on March 30, 1999, which is a continuation of application Serial No. 07/859,850, filed on March 30, 1992, now U.S. Patent No. 5,495,572 issued on February 27, 1996.

As can be seen from the preceding discussion, application Serial No. 07/859,850 is

the grandparent application of application Serial No. 08/895,886 from which U.S. Patent No. 5,941,993 issued,

the grandparent application of application Serial No. 08/895,986 from which U.S. Patent No. 6,000,039 issued,

the great-grandparent application of application Serial No. 09/162,444 from which U.S. Patent No. 6,161,194 issued, and

the great-great-grandparent application of the present application Serial No. 09/712,171.

An assignment assigning all rights in connection with application Serial No. 07/859,850 from the applicants to

Hitachi, Ltd., was recorded in the U.S. Patent and Trademark Office on March 30, 1992, on reel 6075, frame 602.

Hitachi, Ltd., hereby disclaims all that portion of the term of any patent issuing from application Serial No. 09/712,171 subsequent to the expiration date of the full statutory terms of U.S. Patent Nos. 5,941,993, 6,000,039, and 6,161,194, and hereby agrees that any patent issuing from application Serial No. 09/712,171 shall be enforceable only for and during such time as U.S. Patent Nos. 5,941,993, 6,000,039, and 6,161,194 and any patent issuing from application Serial No. 09/712,171 are commonly owned.

Hitachi, Ltd., does not disclaim any terminal part of any patent issuing from application Serial No. 09/712,171 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any of U.S. Patent Nos. 5,941,993, 6,000,039, and 6,161,194 in the event that any of U.S. Patent Nos. 5,941,993, 6,000,039, and 6,161,194 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, is terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

This disclaimer is to be binding with respect to any patent issuing from application Serial No. 09/712,171 and is binding upon grantees, their successors, or assignees of any

interests with respect to any patent issuing from application
Serial No. 09/712,171.

Pursuant to 37 CFR 3.73(b), the undersigned is authorized
to sign this terminal disclaimer on behalf of the assignee.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Date: May 17, 2002

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